

## ***REMARKS***

Claims 1-9, 11, 12, 14, and 17-30 were pending and presented for reconsideration. In an Office Action dated June 12, 2008, claims 1-9, 11-12, 14, and 17-30 were rejected. Claims 14, 17, 22, 24, and 27 are amended, claims 18, 23, and 28 are canceled and new claims 31-33 are added. Support for new claims 31-33 is found throughout the specification, including on page 12, lines 4-15. These changes are believed not to introduce new matter, and their entry is respectfully requested.

Based on the above Amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

### ***Specification Objections***

The specification was objected to for allegedly failing to provide proper antecedent basis for the phrase “computer program product” recited in claims 19-23. The specification is amended herewith to provide more explicit antecedent basis for the amended claims. Support for the amendment to the specification is found in claim 19 as originally filed which recited a computer program product. Accordingly, no new matter is added by this amendment.

### ***Rejection Under 35 USC §101***

In the third paragraph of the Office Action, the Examiner has rejected claims 19-28 under 35 USC §101, as allegedly being based on non-statutory subject matter. This rejection is respectfully traversed.

Examiner stated that the 35 USC §101 rejection of claims 19-28 will be maintained until the objection to the specification is resolved. Since, the specification has been amended to resolve the objection to the specification, antecedent basis for the phrase “computer program product” is now available in the specification as amended. Hence, applicants submit that claim 19-23 are now in compliance with 35 USC § 101. Applicants respectfully submit that claims 19-23 now recite patentable subject matter.

Claim 24-28 were rejected for reciting software rather than the physical combination of hardware and software which permits the programmed functionality to be realized. Claim 24 has been amended to recite a computer-readable storage medium storing an executable computer program product. The computer-readable storage medium is a hardware element. Hence the claim does not recite software per se and is statutory. The dependent claims are statutory for at least the same reasons.

### ***Rejections under 35 U.S.C. §102***

Claims 1-9, 11-12, and 17-30 have been rejected as allegedly being unpatentable over U.S. Publication No. 2007/0016909 (“Gautier”). Applicant respectfully traverses this rejection. Independent claim 1 recites:

A computer implemented method for dynamically rendering data in a markup language, the method comprising:  
identifying a symbol in the data in the markup language, the symbol indicating a query of a data set, **the query containing one or more variables, each variable of one of a plurality of data types;**  
augmenting the markup language to support the variables by building a variable resolution functionality into the markup language, **each variable resolving to two or more variable values;**  
accessing the data set in order to generate a resolution to the query, wherein the one or more variables contained in the query are resolved as part of the generation of the resolution to the query, the query associated with a tag in the markup language;  
**substituting the two or more variable values for each variable into the query to generate two or more completed queries; and**

dynamically rendering the resolution to the two or more completed queries as a part of the markup language, according to at least one rule associated with the markup language wherein said symbol can be used to dynamically render multiple data sets.

Applicants respectfully submit that Gautier does not disclose or suggest all the limitations of claim 1. Gautier discloses a method and system for using optimization constraints to select appropriate content item from an available group of content items ordered in a specific manner to facilitate proper selection of the item. The selection of an optimization constraint is based on performance characteristics of client devices.

First, Gautier does not teach the limitation of “the query containing one or more variables, each variable of one of a plurality of data types.” Examiner cites to Gautier paragraph [0030], lines 14-22, and Fig. 3a as teaching the above limitation. The cited portion states “...the content within the OPT tags is variable data selected from the database 100 in response to a query.” Neither the cited portion nor any other portions of Gautier provide details of the query used to select the variable data from the database. The Examiner mentions that “the query appears to have included variables...” Embodiments of query are possible that select the content from the database without requiring any variables in the query definition. For example, it is possible that the entire content within the OPT tags is fetched with a query that fetches and returns the entire string within the OPT tags “Turn Left<DOPT>Left<DOPT>L.” Hence, there is no explanation or reason provided in the reference for the query to have “one or more variables.” Besides the entire content within the OPT tags is text only and hence the limitation of “each variable of one of a plurality of data types” is not disclosed by Gautier. The example discussed by Gautier returns “directions to a given location” for displaying on client devices, as described in paragraph [0017]. Even though values such as “0.9 miles” may be part of the

content within the OPT tag, the “directions to a given location” can be constructed by representing each portion of the content as a text type, i.e., a single type. Hence, there is no need to process the various portions of the content as data of different types. Hence Gautier does not disclose, suggest or demonstrate any need for use of variables of one of a plurality of data types contained in the query.

Second, Gautier does not disclose the limitation of “augmenting the markup language to support the variables by building a variable resolution functionality into the markup language.” Examiner cites Gautier paragraph [0009], lines 1-4 as disclosing the above limitation. The cited portion discloses augmenting the markup language with a special purpose tag, for example, the OPT tag. Even if the OPT tag is considered a variable reflecting a value based on the optimization constraints, nowhere does Gautier disclose the use of the value associated with the OPT tag in resolving the query. As disclosed in Gautier paragraph [0030], lines 17-18, “the server filters the query response using the OPT mechanism described herein” which implies, the query response is computed independent of the filtering of the response based on the POT mechanism. In addition, the optimization constraint in Gautier always resolves to a single value as described in Gautier paragraph [0018], whereas the claimed limitation discloses “each variable resolving to two or more variable values.” The ability to resolve a variable into multiple values is beneficially used in applications as described in the specification pages 11-12. Hence, the tag that demarcates a group of one or more content items is not equivalent to the variable contained in the query that resolves to two or more variable values. Furthermore, since, Gautier does not disclose any variable resolving to two or more values, Gautier also does not disclose the limitation of “substituting the two or more variable values for each variable into the query to generate two or more completed queries.”

Since, Gautier does not disclose or suggest all the limitations of claim 1, Gautier does not anticipate claim 1. Independent claims 19 and 24 recite limitations similar to those discussed above for independent claim 1 and hence are not anticipated by Gautier for at least the same reasons. The dependent claims incorporate the limitations of their respective base claims and hence are not anticipated by Gautier for at least the same reasons.

More specifically amended claim 17 recites:

The method of claim 1 wherein rendering the resolution further comprises:  
receiving an input from a user;  
responsive to receiving the input, updating the data set based at least in part on the received input.

As disclosed in the specification page 18, line 22 – page 19, line 4, the amended claim 17 beneficially allows, for example, the ability to dynamically generate markup language based on user input for generating screens without requiring connection to server. Although Gautier discloses in paragraph [0030], lines 14-22, the data sets within the OPT tags being updated in response to the query of the database, Gautier does not disclose updating the data set in response to receiving input from the user. Amended claims 22 and 27 recite limitations similar to claim 17 and hence are not anticipated by Gautier at least for the same reasons.

Also, claim 30 recites:

The method of claim 1 wherein augmenting the markup language to support the variables further comprises:  
providing a variable table for storing names and values of the variables, each variable of one of the plurality of data types; and  
utilizing a syntax in the markup language for creating the variables by adding the variables to the variable table.

Examiner cites to Fig. 3c as disclosing a two column table storing variable data based on variables listed in the OPT tags in FIG. 3a. Applicants argue that both Fig. 3c and Fig. 3a

disclose only data and do not disclose any variables. Fig. 3c seems to disclose data that is selected from the data within the <DOPT> tags as shown in Fig. 3a and there are no variables shown in either FIG. 3a or FIG. 3c. The claim limitations require storing “names and values of the variables.” The disclosed portion does not show any “names” of the variables since no variables are disclosed.

Claims 18, 23, and 28 are canceled and hence their rejection is now moot.

Based on the above amendments and remarks, Applicants respectfully submit that for at least these reasons claims 1-9, 11-12, 17, 19-22, 24-27, and 29-30 are patentably distinguishable over the cited reference. Therefore, Applicants respectfully request that Examiner reconsider the rejections, and withdraw them.

#### ***Rejections under 35 U.S.C. §103***

In the fifth paragraph of the Office Action, Examiner rejects claim 14 under 35 USC § 103(a) as allegedly being unpatentable over Gautier and further in view of U.S. Publication No. 2002/0198874 (“Nasr”). This rejection is respectfully traversed.

Amended claim 14 recites:

The method of claim 1 wherein:  
each variable contained in the query comprises a token **bounded by delimiters**.

Several examples of tokens bounded by delimiters are presented in the specification where the delimiters are “\${“ and “},” for example, “\${file:///CandleCatalog.xml/Items/Item/Desc}” disclosed in the specification on page 12 line 1. Nasr discloses in paragraphs [0100]-[0104] examples of query expressions containing a delimiter tag <MYDOC>. The query examples presented happen to show a delimiter tag but do not disclose a token bounded by delimiters. Hence, Nasr does not disclose a query comprising a

token that is bounded by delimiters. Applicants respectfully submit that for at least these reasons claim 14 is not obvious in view of a combination of Gautier and Nasr. Therefore, Applicants respectfully request that Examiner reconsider the rejection, and withdraw it.

***Conclusion***

Applicants believe that all of the stated grounds of objection and rejection set forth in the Office Action have been properly accommodated or addressed. Applicants, therefore, respectfully request that the Examiner reconsider all presently outstanding objections and rejections and withdraw them. The Examiner is invited to telephone the undersigned representative if it is felt that an interview might be useful for any reason.

Respectfully submitted  
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